

UNITED STATES DISTRICT COURT
for the
Eastern District of California

United States of America)
v.)
GEORGE MARTINEZ, JR.) Case No: 1:99CR05038-001
Date of Previous Judgment: 9/23/1999) USM No: 58777-097
(Use Date of Last Amended Judgment if Applicable)) DAVID M. PORTER
Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 151 months **is reduced to** 135 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 31 Amended Offense Level: 29
Criminal History Category: IV Criminal History Category: IV
Previous Guideline Range: 151 to 188 months Amended Guideline Range: 121 to 151 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 9/23/1999 shall remain in effect.

IT IS SO ORDERED.

Order Date: August 14, 2008

/s/ OLIVER W. WANGER

Judge's signature

Effective Date: _____
(if different from order date)

OLIVER W. WANGER, US DISTRICT JUDGE

Printed name and title